

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARNOV SANDWICH, INC. and ROY
DULAL,

Plaintiffs,

-v.-

TRANSPORTATION INSURANCE
COMPANY,

Defendant.

21 Civ. 8690 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Court is in receipt of Defendant's motion to dismiss or, in the alternative, compel Plaintiffs' discovery responses, dated January 6, 2023 (Dkt. #56), and Plaintiffs' discovery responses dated January 29, 2023 (Dkt. #57-58). The Parties are directed to file a joint letter on or before **February 10, 2023**, noting whether Plaintiffs' submissions are responsive, and, accordingly, are sufficient to render Defendant's motion moot.

The Court's preference is to resolve cases on the merits. As such, the Court encourages the parties to reach a resolution on this issue.

SO ORDERED.

Dated: February 2, 2023
New York, New York



KATHERINE POLK FAILLA
United States District Judge